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APR 25 2008

OFFICE OF PETITIONS

In re Application of :
Jagannathan Shiva Shankar, et al. :
Application No. 10/651,590 : ON PETITION
Filed: August 29, 2003 :
Attorney Docket No. 50325-0788 :

This is a decision on the petition under 37 CFR 1.313(c)(2),
filed April 23, 2008, requesting withdrawal of the above-
identified application from issue.

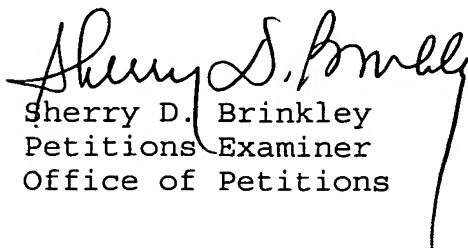
The petition is **dismissed**, as the application has not been
allowed.

A review of the file record fails to indicate that a Notice of
Allowance and Fee(s) Due has been mailed, in accordance with 37
CFR 1.311. Accordingly, jurisdiction of the application remains
with the primary examiner. See MPEP 1305. Since prosecution is
not closed within the meaning of 37 CFR 1.114(b), the Request for
Continued Examination (RCE) filed April 23, 2008, cannot be
accepted.

Under the circumstances of this case, the \$130 petition fee and
the \$810 RCE filing fee are being credited to counsel's deposit
account.

The application is being referred to Technology Center AU 2143
for treatment of the Information Disclosure Statement filed on
April 1, 2008.

Inquiries concerning this decision may be directed to the
undersigned at (571) 272-3204.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions